

HOWARD L. KASTEL, Trustee of the)
Howard L. Kastel Trust Dated Nov. 13,)
1985, and JOAN H. KASTEL.)
) Honorable Judge N.C. Tilley, Jr.
Plaintiffs,)
) Magistrate Judge Wallace W.
v.) Dixon
)
NUVEEN INVESTMENTS INC., *et al.*,) No. 1:09-CV-646
)
Defendants.)
)

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WHEREFORE, for these reasons and for the reasons set forth in Nuveen's and Bremner's accompanying Memorandum, Nuveen and Bremner respectfully request that their Motion to Dismiss Plaintiffs' Second Amended Complaint be granted.

Dated: December 27, 2010

Respectfully submitted,

NUVEEN INVESTMENTS, INC.
NUVEEN INVESTMENTS, LLC.
ROBERT P. BREMNER

/s/ Jack M. Knight Jr.

One of Their Attorneys

Jack M. Knight Jr. [N.C. Bar No. 21145]

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CERTIFICATE OF SERVICE

This is to certify that on December 27, 2010, I electronically filed the foregoing **DEFENDANTS NUVEEN'S AND BREMNER'S MOTION TO DISMISS PLAINTIFFS' SECOND AMENDED COMPLAINT** with the Clerk of the Court using the CM/ECF System with notice of case activity to be generated and sent electronically by the Clerk of Court to those parties registered to receive such service.

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This 27th day of December, 2010.

/s/ Jack M. Knight Jr.